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Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

15 DEBRA JEAN FRAZIER,)	CIVIL NO. 2:24-cv-01781-CKD
16 Plaintiff,)	
17 v.)	STIPULATION TO VOLUNTARY
18 MARTIN O'MALLEY,)	REMAND PURSUANT TO SENTENCE
19 Commissioner of Social Security,)	FOUR OF 42 U.S.C. § 405(g) AND TO
20 Defendant.)	ENTRY OF JUDGMENT; ORDER

21 IT IS HEREBY STIPULATED by and between the parties, through their undersigned
22 attorneys, and with the approval of the Court, that this action be remanded for further
23 administrative action pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C.
24 § 405(g), sentence four. On remand, the Appeals Council will instruct the administrative law
25 judge (ALJ) to reevaluate the medical opinions and prior administrative findings, including the
26 opinion of Michelle Mercurio, Ph.D.; reevaluate Plaintiff's residual functional capacity; offer
27 Plaintiff an opportunity for a hearing, and issue a new decision. The parties further request that
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1 the Court direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against
2 Defendant, reversing the final decision of the Commissioner.

3 Respectfully submitted,

4
5 DATE: October 24, 2024

/s/ Robert Weems*

ROBERT WEEMS

Attorney for Plaintiff

*Authorized via e-mail on October 24, 2024

8 PHILLIP A. TALBERT

United States Attorney

10 MATHEW W. PILE

Associate General Counsel

Office of Program Litigation, Office 7

12 DATE: October 24, 2024

By: /s/ Justin L. Martin

JUSTIN L. MARTIN

Special Assistant United States Attorney

Office of Program Litigation, Office 7

Attorneys for Defendant

16 **ORDER**

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18 Based upon the parties' stipulation to Voluntary Remand Pursuant to Sentence Four of 42
19 U.S.C. § 405(g) and to Entry of Judgment, and for cause shown, IT IS ORDERED that the
20 above-captioned action is remanded to the Commissioner of Social Security for further
21 proceedings pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g),
22 sentence four. On remand, the Appeals Council will remand the case to an administrative law
23 judge for a new decision in accordance with the parties' Stipulation.

24 Dated: October 29, 2024



CAROLYN K. DELANEY

UNITED STATES MAGISTRATE JUDGE